



PATENT
Attorney Docket No. MDS-009CN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Modell et al. CONFIRMATION NO.: 6590
SERIAL NO.: 09/841,325 GROUP NO.: 3737
FILING DATE: April 24, 2001 EXAMINER: Smith, Ruth S.
TITLE: Spectral Volume Microprobe Arrays

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the foreign patent documents are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

(1) within three (3) months of the **filin** **g date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

(2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and

the requisite Statement is below, **OR**

the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

(3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**

- the requisite Statement is below, AND
- the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

Additionally, Applicant wishes to call to the Examiner's attention any Office Actions issued in the following commonly-owned, co-pending patent applications:

- 1) U.S. Serial No. 11/127,062, Attorney Docket No. MDS-009C2, filed on 5/11/05, by DeBaryshe et al.;
- 2) U.S. Serial No. 11/018,665, Attorney Docket No. MDS-012DV, filed on 12/21/04, by Nordstrom et al.;
- 3) U.S. Serial No. 10/068,133, Attorney Docket No. MDS-013AC2, filed on 2/5/02, by Kaufman et al.;
- 4) U.S. Serial No. 10/911,996, Attorney Docket No. MDS-013AC3, filed on 8/5/04, by Kaufman et al.;
- 5) U.S. Serial No. 09/738,147, Attorney Docket No. MDS-013B, filed on 12/15/00, by Kaufman et al.;
- 6) U.S. Serial No. 10/411,777, Attorney Docket No. MDS-013BC1, filed on 04/11/03, by Kaufman et al.;
- 7) U.S. Serial No. 10/870,672, Attorney Docket No. MDS-014C2, filed on 6/17/04, by Modell et al.;
- 8) U.S. Serial No. 10/122,429, Attorney Docket No. MDS-015CN, filed on 4/12/02, by Nordstrom et al.;
- 9) U.S. Serial No. 10/701,123, Attorney Docket No. MDS-016CN, filed on 11/4/03, by Modell et al.;
- 10) U.S. Serial No. 10/872,128, Attorney Docket No. MDS-020C1, filed on 6/18/04, by Costa et al.;
- 11) U.S. Serial No. 10/071,932, Attorney Docket No. MDS-022C1, filed on 2/8/02, by Nordstrom et al.;
- 12) U.S. Serial No. 10/192,820, Attorney Docket No. MDS-028, filed on 7/10/02, by Schomacker et al.;
- 13) U.S. Serial No. 10/099,881, Attorney Docket No. MDS-030, filed on 3/15/02, by Kaufman et al.;
- 14) U.S. Serial No. 10/273,511, Attorney Docket No. MDS-031, filed on 10/18/02, by Clune et al.;
- 15) U.S. Serial No. 10/894,356, Attorney Docket No. MDS-032C1, filed on 7/19/04, by Zelenchuck et al.;
- 16) U.S. Serial No. 10/848,735, Attorney Docket No. MDS-033C1, filed on 5/19/04, by Schomacker et al.;
- 17) U.S. Serial No. 10/295,794, Attorney Docket No. MDS-034, filed on 11/15/02, by Schomacker et al.;
- 18) U.S. Serial No. 10/828,624, Attorney Docket No. MDS-034DV, filed on 4/21/04, by Schomacker et al.;
- 19) U.S. Serial No. 10/418,922, Attorney Docket No. MDS-035, filed on 4/18/03, by Flewelling et al.;
- 20) U.S. Serial No. 10/418,902, Attorney Docket No. MDS-035A, filed on 4/18/03, by Jiang et al.;
- 21) U.S. Serial No. 10/418,974, Attorney Docket No. MDS-035B, filed on 4/18/03, by Jiang;
- 22) U.S. Serial No. 10/418,668, Attorney Docket No. MDS-035D, filed on 4/18/03, by Costa et al.;
- 23) U.S. Serial No. 10/418,975, Attorney Docket No. MDS-035E, filed on 4/18/03, by Jiang et al.;
- 24) U.S. Serial No. 10/418,415, Attorney Docket No. MDS-035F, filed on 4/18/03, by Schomacker et al.;
- 25) U.S. Serial No. 10/419,181, Attorney Docket No. MDS-035G, filed on 4/18/03, by Jiang et al.; and
- 26) U.S. Serial No. 10/418,973, Attorney Docket No. MDS-035H, filed on 4/18/03, by Schomacker et al.;
- 27) U.S. Serial No. 10/530,741, Attorney Docket No. MDS-037, filed on 4/7/05, by Flewelling et al.;

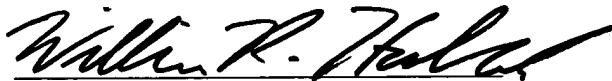
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that
[check the appropriate space only if either (2) or (3) is checked on the previous page and the
Statement is required]:

- 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

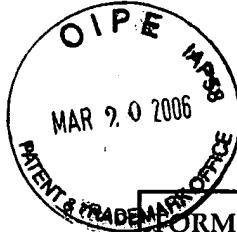


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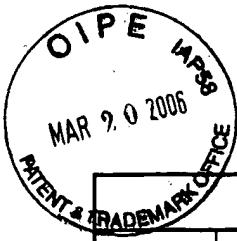
FORM PTO - 1449 TENTH INFORMATION DISCLOSURE STATEMENT					ATTORNEY DOCKET NO.: MDS-009CN APPLICANT(S): Modell <i>et al.</i> SERIAL NO.: 09/841,325 FILING DATE: April 24, 2001 GROUP: 3737
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U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A308	5,441,053	08/15/1995	Lodder <i>et al.</i>			
	A309	5,285,490	02/08/94	Bunch <i>et al.</i>			
	A310	5,412,563	05/02/95	Cline <i>et al.</i>	345	420	09/16/93
	A311	6,067,371	05/23/00	Gouge <i>et al.</i>	382	128	02/13/98
	A312	6,092,722	07/25/00	Heinrichs, <i>et al.</i>			
	A313	6,101,408	08/08/00	Craine <i>et al.</i>			
	A314	6,126,899	10/03/00	Woudenberg <i>et al.</i>			
	A315	6,289,236	09/11/2001	Koenig <i>et al.</i>			
	A316	6,465,968	10/15/02	Sendai			
	A317	6,571,119	05/27/2003	Hayashi			
	A318	6,633,657	10/14/03	Kump <i>et al.</i>			
	A319	6,466,687	10/15/02	Uppaluri <i>et al.</i>	382	128	02/11/98
	A320	6,640,000	10/28/03	Fey <i>et al.</i>			
	A321	6,671,540	12/30/03	Hochman			
	A322	6,717,668	04/06/04	Treado, <i>et al.</i>			
	A323	6,718,055	04/2004	Suri	382	128	
	A324	6,839,661	01/04/2005	Costa <i>et al.</i>			
	A325	6,885,763	04/2005	Ogino	382	131	
	A326	6,975,899	12/13/2005	Faupel <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B41	1246124A2	10/02/2002	EP				N	Y
	B42	96/41152	12/19/1996	WO				N	Y
EXAMINER					DATE CONSIDERED				



OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)	
	C115	Fielding et al., "Prediction of Outcome After Curative Resection for Large Bowel Cancer," <u>The Lancet</u> , October 18, 1986, pp. 904-907.
	C116	Lin et al., "Evidence of possible carcinogenesis during conformational changes in bladder mucosa induced by bladder outlet obstruction," <u>Cancer Letters</u> , 79 (1994), 221-226.
	C117	Zhao, Project Abstract, "Integration of 3-D Imaging Technology and Feature Extraction Algorithm Designs," Center for Engineering Education and Practice, University of Michigan – Dearborn, Feb. 1999.
EXAMINER		DATE CONSIDERED

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EXAMINER	DATE CONSIDERED